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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.878 OF 2007

Om Prakash Agarwal (M/s.Omez Rest. & Bar) — Petitioner

versus

The Commissioner of Police, Greater Mumbai and another — Respondents

Mrs.Veena Thadhani for petitioner.
Mr.A.H.Palekar, AGP for respondents.

CORAM : A.S.OKA, J.

DATE : 07th February 2007

PC :

1. Not on board. Taken on board. Heard learned advocate for the petitioner and learned AGP for the respondents.

2. It is not disputed that the appeal preferred by the petitioner for challenging the order dated 30th December 2006 is pending before the Appellate Authority. The application for stay made in the appeal is also pending. In this view of the matter, this petition need not be entertained and the same can be disposed off by

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directing the Appellate Authority to decide the stay application in accordance with law within a period of one week from today.

3. Hence, the petition is disposed off by directing the Appellate Authority to decide the application for stay made by the petitioner in the pending appeal within a period of one week from today.

4. All contentions of both the parties on merits are kept open. The office of the Additional Government Pleader, High Court, Mumbai to communicate this order to the concerned Appellate Authority.

(A.S.OKA, J.)